

**\*\* NOTICE:** This is only a preliminary draft of the City-County Council agenda prepared by the Council staff pursuant to Sec. 161-5(b) and may not be complete. The President of the Council has not determined the order of business for this meeting pursuant to Sec. 151-71. The agenda will be final only when approved by the Council at the meeting.

# **AGENDA**

## **CITY COUNTY COUNCIL**

### **AND THE**

## **INDIANAPOLIS POLICE, FIRE, AND SOLID WASTE COLLECTION**

### **SPECIAL SERVICE DISTRICT COUNCILS**

**February 11, 2008**

**7:00 P.M.**

- I. PRAYER AND PLEDGE OF ALLEGIANCE - Councillor Cardwell**
- II. ROLL CALL**
- III. INTRODUCTION OF GUESTS AND VISITORS**
- IV. OFFICIAL COMMUNICATIONS**
- V. ADOPTION OF AGENDA**
- VI. APPROVAL OF JOURNAL – January 28, 2008**
- VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 44, 2008 (Special Resolution)

INTRODUCED: 01/28/2008 BY: Councillors Bateman, Oliver and Nytes

REFERRED TO: Committee of the Whole

DIGEST: recognizes the Country Kitchen Soul Food Place for their efforts during the Christmas holiday

COUNCIL ACTION:

01/28/2008 Postpone until 2/11/2008

**VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 77, 2008 (Special Resolution)

INTRODUCED: 02/11/2008 BY: Councillor Pryor

REFERRED TO: Committee of the Whole

DIGEST: recognizes Jackie "Jack" W. Hines

PROPOSAL NO. 4, 2008 (Council Resolution)

INTRODUCED: 01/07/2008 BY: Councillors Vaughn, Plowman, Brown and Pfisterer

REFERRED TO: Rules and Public Policy Committee

DIGEST: approves the Mayor's appointment of Olgen Williams as the Deputy Mayor for Neighborhoods

COMMITTEE ACTION:

01/15/2008 Postpone until 2/5/2008 8-0

02/05/2008 Do Pass 8-0

PROPOSAL NO. 18, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Timothy Ping to the Metropolitan Development Commission

COMMITTEE ACTION:

02/04/2008 Do Pass 7-0

PROPOSAL NO. 19, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Bradley A. Klopfenstein to the Metropolitan Board of Zoning Appeals, Division II

COMMITTEE ACTION:

02/04/2008 Do Pass As Amended 7-0

PROPOSAL NO. 20, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Timothy J. Maguire to the Metropolitan Board of Zoning Appeals, Division I

COMMITTEE ACTION:

02/04/2008 Do Pass 7-0

PROPOSAL NO. 28, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Jennifer Lukemeyer to the Marion County Public Defender Board

COMMITTEE ACTION:

01/31/2008 Do Pass 8-0

## **VII. PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 30, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Paul Page to the Marion County Public Defender Board  
COMMITTEE ACTION:  
01/31/2008 Do Pass 8-0

PROPOSAL NO. 35, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Hunter  
REFERRED TO: Public Works Committee  
DIGEST: approves the Mayor's appointment of David Sherman as the Director of the Department of Public Works  
COMMITTEE ACTION:  
02/07/2008 Do Pass 9-0

PROPOSAL NO. 37, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Hunter  
REFERRED TO: Public Works Committee  
DIGEST: appoints Gary W. Whitmore to the Board of Public Works  
COMMITTEE ACTION:  
02/07/2008 Do Pass 9-0

PROPOSAL NO. 39, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillors Lutz and Pfisterer  
REFERRED TO: Rules and Public Policy Committee  
DIGEST: appoints Dean T. Farmer to the Cable Franchise Board  
COMMITTEE ACTION:  
02/05/2008 Do Pass 8-0

PROPOSAL NO. 40, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillor Lutz  
REFERRED TO: Rules and Public Policy Committee  
DIGEST: appoints Peter Nugent to the Board of Ethics  
COMMITTEE ACTION:  
02/05/2008 Do Pass 8-0

## **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 24, 2008 (Council Resolution)  
INTRODUCED: 01/28/2008 BY: Councillors Vaughn and Brown  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Gary A. Jennings to the Citizens Police Complaint Board

## **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 55, 2008 (Council Resolution)

INTRODUCED: 02/11/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Dorothy Hancock to the City-County Administrative Board

PROPOSAL NO. 56, 2008 (Fiscal Ordinance)

INTRODUCED: 02/11/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appropriates \$1,850,000 in the 2008 Budget of the Marion County Assessor (County General Fund) to cover the cost of contracting for the 2007 reassessment of commercial and industrial property as ordered by the Indiana Department of Local Government Finance

PROPOSAL NO. 57, 2008 (Council Resolution)

INTRODUCED: 02/11/2008 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Alan Retherford to the Metropolitan Board of Zoning Appeals, Division III

PROPOSAL NO. 58, 2008 (Council Resolution)

INTRODUCED: 02/11/2008 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Keith D. Smith to the Metropolitan Board of Zoning Appeals, Division I

PROPOSAL NO. 59, 2008 (Fiscal Ordinance)

INTRODUCED: 02/11/2008 BY: Councillors Nytes and Carson

REFERRED TO: Metropolitan Development Committee

DIGEST: appropriates \$156,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Non-lapsing Grants and State Non-lapsing Grants Funds) to fund the purchase of supplies and equipment for the Indianapolis Brownfield Redevelopment Program and to fund electrical and natural gas services for businesses in the Indiana University Emerging Technologies Center, financed by an existing EPA Assessment Grant and a State of Indiana Technology Development Fund Grant

PROPOSAL NO. 60, 2008 (Fiscal Ordinance)

INTRODUCED: 02/11/2008 BY: Councillors Nytes and Carson

REFERRED TO: Metropolitan Development Committee

DIGEST: appropriates \$460,000 in the 2008 Budget of the Department of Metropolitan Development (Federal Grants Fund) to fund capital repairs needed at the Indiana Theatre Building, financed by prior years' program income generated by Urban Development Action Grants

PROPOSAL NO. 61, 2008 (Council Resolution)

INTRODUCED: 02/11/2008 BY: Councillors McQuillen and Day

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Richard E. Brown to the Beech Grove Public Library Board

## **VIII. INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 62, 2008 (Council Resolution)  
INTRODUCED: 02/11/2008 BY: Councillor Day  
REFERRED TO: Parks and Recreation Committee  
DIGEST: appoints Matthew T. Klein to the Indianapolis Greenways Development Committee

PROPOSAL NO. 63, 2008 (Council Resolution)  
INTRODUCED: 02/11/2008 BY: Councillor Cain  
REFERRED TO: Parks and Recreation Committee  
DIGEST: appoints Kenneth Pendleton to the Indianapolis Greenways Development Committee

PROPOSAL NO. 64, 2008 (Council Resolution)  
INTRODUCED: 02/11/2008 BY: Councillors Day and Cain  
REFERRED TO: Parks and Recreation Committee  
DIGEST: appoints Eugene Schulstad to the Indianapolis Greenways Development Committee

PROPOSAL NO. 65, 2008 (Council Resolution)  
INTRODUCED: 02/11/2008 BY: Councillor Day  
REFERRED TO: Parks and Recreation Committee  
DIGEST: appoints Joseph E. Mayes to the Board of Parks and Recreation

PROPOSAL NO. 66, 2008 (Council Resolution)  
INTRODUCED: 02/11/2008 BY: Councillor Vaughn  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appoints Melanie Brizzi to the Crime Prevention Advisory Board

PROPOSAL NO. 67, 2008 (Fiscal Ordinance)  
INTRODUCED: 02/11/2008 BY: Councillors Vaughn and Moriarty Adams  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appropriates \$240,487 in the 2008 Budget of the Indianapolis Metropolitan Police Department (IMPD, Federal Grants and Non-Lapsing Federal Grants Funds) for reimbursement of overtime for officers assigned to the US Marshal's Fugitive Task Force and for the following initiatives: Community Clergy, Fatal Alcohol Crash Team, Violent Crime Unit; Safe Driver, Walmart Community Policing and the Cold Case Initiative, financed by grants and a transfer between characters

PROPOSAL NO. 68, 2008 (Fiscal Ordinance)  
INTRODUCED: 02/11/2008 BY: Councillors Pfisterer and Moriarty Adams  
REFERRED TO: Public Safety and Criminal Justice Committee  
DIGEST: appropriates \$322,248 in the 2008 Budget of the Marion Superior Court (State and Federal Grants Fund) to fund contractual computer services for the JAG Technology Initiative; salaries, fringes and contractual services for the Community Court; salaries and fringes for the Drug Treatment Court; contractual services for Family Court; supplies and training registrations for the Juvenile Mental Health Screening and Assessment Pilot Project; salary and fringes for a part-time crew leader on the Community Service Restitution Project, financed by grants from the Indiana Criminal Justice Institute, Indiana Supreme Court, and Indiana State Bar Association and a transfer between characters

## **VIII. INTRODUCTION OF PROPOSALS**

### **PROPOSAL NO. 69, 2008 (Fiscal Ordinance)**

INTRODUCED: 02/11/2008 BY: Councillor Moriarty Adams

REFERRED TO: Public Works Committee

DIGEST: approves an appropriation of \$3,380,000 in the 2008 Budget of the Department of Public Works (Transportation General Fund) to fund the resurfacing design, inspection and construction of the streets used in 2007 as local detour routes for the Super 70 project, financed by reimbursements from the Indiana Department of Transportation

### **PROPOSAL NO. 70, 2008 (Fiscal Ordinance)**

INTRODUCED: 02/11/2008 BY: Councillors Hunter and Moriarty Adams

REFERRED TO: Public Works Committee

DIGEST: approves an appropriation of \$9,000,000 in the 2008 Budget of the Department of Public Works (Transportation General Fund) to fund the construction of Phases 2 and 3 and the related project design costs for future phases of the downtown Cultural Trail, funded by a grant from the Central Indiana Community Foundation

### **PROPOSAL NO. 71, 2008 (Council Resolution)**

INTRODUCED: 02/11/2008 BY: Councillor Speedy

REFERRED TO: Rules and Public Policy Committee

DIGEST: approves the Mayor's appointment of Nicholas Weber as Deputy Mayor

### **PROPOSAL NO. 73, 2008 (Council Resolution)**

INTRODUCED: 02/11/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Christine Scales to the Space Allocation Committee

### **PROPOSAL NO. 74, 2008 (Council Resolution)**

INTRODUCED: 02/11/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Christine Scales to the City-County Administrative Board

### **PROPOSAL NO. 75, 2008 (Council Resolution)**

INTRODUCED: 02/11/2008 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Larry J. Walker to the Metropolitan Board of Zoning Appeals, Division II

### **PROPOSAL NO. 76, 2008 (Council Resolution)**

INTRODUCED: 02/11/2008 BY: Councillors Cardwell and Cockrum

REFERRED TO: Metropolitan Development Committee

DIGEST: appoints Randolph Snyder to the Metropolitan Development Commission

## **IX. SPECIAL ORDERS - PRIORITY BUSINESS**

## **X. SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 545, 2007 (Rezoning Ordinance)

INTRODUCED: 12/03/2007 BY: Councillor Mahern

REFERRED TO: Committee of the Whole

DIGEST: rezoning ordinance for Pike Township, Councilmanic District 7, 4460 Guion Road (2006-ZON-104/2006-DP-004)

COUNCIL ACTION:

12/03/2007 Scheduled for Public Hearing on December 17, 2007

12/17/2007 Postponed until February 11, 2008

PROPOSAL NO. 33, 2008 (Fiscal Ordinance)

INTRODUCED: 01/28/2008 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: approves an increase of \$266,667 in the 2008 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to fund salaries and fringes for staff in the Community Prosecution Division, funded through a grant of Byrne Memorial Funds by the Indiana Criminal Justice Institute

COMMITTEE ACTION:

01/31/2008 Do Pass 8-0

## **XI. SPECIAL ORDERS - UNFINISHED BUSINESS**

PROPOSAL NO. 41, 2008 (Council Resolution)

INTRODUCED: 01/28/2008 BY: Councillors Lutz and Pfisterer

REFERRED TO: Rules and Public Policy Committee

DIGEST: approves the Mayor's establishment of a charter school, "The Indianapolis Project School," by issuing a charter to The Project School, Inc.

COMMITTEE ACTION:

02/05/2008 Do Pass 6-2

## **XII. SPECIAL ORDERS - FINAL ADOPTION**

PROPOSAL NO. 6, 2008 (General Ordinance)

INTRODUCED: 01/07/2008 BY: Councillors Vaughn, Lutz, Pfisterer, Day, Speedy, McQuillen, Cardwell, Plowman and Brown

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: amends the Code to establish the Indianapolis Metropolitan Police Department as the police division of the department of public safety and makes corresponding technical corrections

COMMITTEE ACTION:

01/31/2008 Do Pass As Amended 6-2

PROPOSAL NO. 21, 2008 (General Ordinance)

INTRODUCED: 01/28/2008 BY: Councillor Plowman

REFERRED TO: Metropolitan Development Committee

DIGEST: amends the Code to add "religious use" as a permitted use in the commercial zoning district, to make the definition uniform throughout the Code and to make related amendments

COMMITTEE ACTION:

02/04/2008 Do Pass As Amended 8-0

## **XIII. SPECIAL SERVICE DISTRICT COUNCILS**

#### **XIV. NEW BUSINESS**

#### **XV. ANNOUNCEMENTS AND ADJOURNMENT**

*The President*                      The docketed agenda for this meeting of Council having been completed, the Chair will now entertain motions for adjournment.

*President's Designee*        Mr. President.

*The President*                      The Chair recognizes Councillor Sanders.

*The Councillor*                      Mr. President, I have been asked to offer the following motion for adjournment:

by All Councillors in memory of Charlie Pfau, Fred Cherry, and James Rosebrock.

by Councillors Gray and Brown in memory of Fred Pervine, Sr.

by Councillor Brown in memory of Timothy A. Wynn.

by Councillor Mansfield in memory of Dr. Julius M. Goodman.

by Councillor Malone in memory of John Baird, Clarence "Bubblegum" Glass, Sr., Ron Steele, and Nevils S. Shedd, Jr.

Mr. President, I would like to move the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of those persons I have here specifically named. I respectfully ask the support of fellow Councillors. I further request that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family of each person advising of this action.

*The President*                      Thank you, Councillor Sanders. Hearing no objections, the motion is received and the requests are so ordered.

Hearing no further motions, we are adjourned.

#### **XVI. PENDING PROPOSALS**

PROPOSAL NO. 3, 2008 (General Ordinance)

INTRODUCED: 01/07/2008 BY: Councillor Cockrum

REFERRED TO: Rules and Public Policy Committee

DIGEST: seeks approval of a petition to establish the Town of Fayette, in Boone County, Indiana, which proposed town is within four miles of the corporate boundaries of the consolidated city, pursuant to IC 36-5-1-7(a)

COMMITTEE ACTION:

01/15/2008 Tabled 8-0



## **XVI. PENDING PROPOSALS**

### **PROPOSAL NO. 12, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Jennifer Ruby to the Information Technology Board

COMMITTEE ACTION:

01/29/2008 Postpone until 2/12/2008 6-0

### **PROPOSAL NO. 13, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Pfisterer

REFERRED TO: Administration and Finance Committee

DIGEST: appoints Susan Swayze to the Audit Committee

COMMITTEE ACTION:

01/29/2008 Postpone until 2/12/2008 6-0

### **PROPOSAL NO. 14, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: nominates Terry Dilk for appointment to the Beech Grove Economic Development Commission

### **PROPOSAL NO. 15, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: appoints Robert Gallant to the Indianapolis Economic Development Commission

### **PROPOSAL NO. 16, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: appoints Patricia Chastain to the Indianapolis City Market Corporation Board of Directors

### **PROPOSAL NO. 17, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Cardwell

REFERRED TO: Economic Development Committee

DIGEST: appoints Richard D. VanParis, II to the Indianapolis City Market Corporation Board of Directors

### **PROPOSAL NO. 22, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Day

REFERRED TO: Parks and Recreation Committee

DIGEST: appoints Diana M. Hall to the Board of Parks and Recreation

### **PROPOSAL NO. 23, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillors Vaughn and Hunter

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Astrid Poston to the Citizens Police Complaint Board

## **XVI. PENDING PROPOSALS**

### **PROPOSAL NO. 26, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Cockrum

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints William Dowden to the Board of Public Safety

### **PROPOSAL NO. 27, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillors Cockrum and Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Kenneth Giffin to the Board of Public Safety

### **PROPOSAL NO. 29, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Jon M. Bailey to the Marion County Public Defender Board

COMMITTEE ACTION:

01/31/2008 Postpone until 2/13/2008 8-0

### **PROPOSAL NO. 31, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Cockrum

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Bradley Battin to the Indianapolis-Marion County Forensic Board

### **PROPOSAL NO. 32, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appoints Michael Biberstine to the Juvenile Detention Advisory Board

### **PROPOSAL NO. 34, 2008 (Fiscal Ordinance)**

INTRODUCED: 01/28/2008 BY: Councillor Vaughn

REFERRED TO: Public Safety and Criminal Justice Committee

DIGEST: appropriates \$25,000 in the Budget of the Marion County Justice Agency (Drug Free Community Fund) to fund a grant awarded to Drug Free Marion County, Inc. to cover the administrative expenses of that organization

COMMITTEE ACTION:

01/31/2008 Postpone until 2/13/2008 8-0

### **PROPOSAL NO. 36, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillors Cain and Hunter

REFERRED TO: Public Works Committee

DIGEST: appoints Harrison R. Smith to the Board of Public Works

### **PROPOSAL NO. 38, 2008 (Council Resolution)**

INTRODUCED: 01/28/2008 BY: Councillor Plowman

REFERRED TO: Rules and Public Policy Committee

DIGEST: appoints Jennifer L. Ping to the Alcohol Beverage Board of Marion County

COMMITTEE ACTION:

02/05/2008 Tabled 8-0